APPENDIX III.

[*Vide* answer to starred question No. 326 on page 272.]

PUBLIC (SPECIAL) DEPARTMENT.

G.O. No. 934, 10th May 1965.

Ministers—Code of conduct for Ministers—Prescribed.

READ—the following papers :—

From the Government of India, Ministry of Home Affairs, D.O. No. 1/9445/64-HM, dated 29th October 1964.

From the Government of India, Ministry of Home Affairs, letter No. 43/92/64-AVD, dated 17th December 1964.

Order—No. 934, Public (Spacial), dated 10th May 1965.

In addition to the observance of the provisions of the Constitution, the Representation of the People Act, 1951, and any other law for the time being in force, a person, before taking office as a Minister shall—

(*a*) disclose to the Chief Minister details of the assets and liabilities, and of business interests, of himself and of members of his family. The details to be disclosed shall consist of particulars of all immovable property and the total approximate value of (i) shares and debentures, (ii) cash holdings and (iii) jewellery;

(*b*) several connections, short of divesting himself of the ownership, with the conduct and management of any business in which he was interested before his appointment as Minister; and

(*c*) with regard to a business concern which supplies goods or services to the Government or to undertakings of the Government (excepting in the usual course of trade or business and at standard or marked rates) or whose business primarily depends on licences, permits, quotas, leases, etc., received or to be received from the Government divest himself of all his interests in the said business and also of the management thereof :

Provided, however, that he may transfer in the case of (*b*) his interest in the management, and in the case of (*c*) both ownership and management, to any adult member of his family or adult relative, other than his wife (or husband as the case may be) who was prior to his appointment as Minister associated with the conduct or management or ownership of the said business. The question of divesting himself of his interests would not arise in case of holding of shares in public limited companies except where the Chief Minister considers that the nature or extent of his holding is such that it is likely to embarras him in the discharge of his official duties.

2. After taking office and so long as he remains in office, the Minister shall—

(*a*) furnish annually by the 31st March to the Chief Minister a declaration regarding his assets and liabilities;

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(*b*) refrain from buying from, or selling to, the Government any immovable property except where such property is compulsorily acquired by the Government in the usual course;

(*c*) refrain from starting, or joining, any business;

(*d*) ensure that the members of his family do not start, or participate in, business concerns, engaged in supplying goods or services to the Government or to undertakings under the Government (excepting in the usual course of trade or business and at standard or marked rates) or dependent primarily on grant of licences, permits, quotas, leases, etc., from the Government; and

(*e*) report the matter to the Chief Minister, if any member of his family sets up, or joins in the conduct and management of, any other business.

3. No Minister should—

(*a*) personally, or through a member of his family, accept contributions for any purpose, whether political, charitable or otherwise, if any purpose, or cheque intended for a registered society, or a charitable body, or an institution recognised by a public authority; or a political party is presented to him, he should pass it on as soon as possible to the organisation for which it is intended;

(*b*) associate himself with the raising of funds except for the benefit of (i) a registered society, or a charitable body, or an institution recognised by a public authority and (ii) a political party. He should, however, ensure that such contributions are sent to a specified office bearer, etc., of the society or body or institution or party concerned and not to him. Nothing hereinbefore shall prevent a Minister from being associated with the operation or disbursement of funds raised as above.

4. A Minister should—

(*a*) not accept valuable gifts except from close relatives, and he or members of his family should not accept any gifts at all from any person with whom he may have official dealings;

(*b*) not, nor permit a member of his family to contact debts of a nature likely to embarass or influence him in the discharge of his official duties.

5. A Minister should—

(*a*) while on official tour, as far as practicable, stay in accommodation belonging to himself, or maintained by Government, Government undertakings, public bodies or institutions (such as circuit houses, dak bungalows, etc.) or in recognised hotels, and

(*b*) discourage otentation or lavishness in parties given to him.

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6. The authority for ensuring the observance of the Code of Conduct will be the Prime Minister and the Union Home Minister in the case of the Chief Minister, and the Union Home Minister and the Chief Minister in the case of other Ministers. The said authority would follow such procedure as it might deem fit, according to the facts and circumstances of each case, for dealing with or determining alleged or suspected breach of this Code.

Explanation.—In this Code, a Minister's family shall include his wife (or the husband, as the case may be) not legally separated from him (or her), minor children and any other person related by blood or marriage to, and wholly dependent, on the Minister.

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